

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VICTORIA MALONE,

Plaintiff,

Case No.

7:19-cv-05503 (VB)

-against-

TOWN OF CLARKSTOWN, WAYNE BALLARD, in his personal and official capacity as Clarkstown Highway Superintendent, FRANK DIZENZO, in his personal and official capacity as Clarkstown Highway Superintendent, ANDREW LAWRENCE, in his personal and official capacity, DAVID SALVO, in his personal and official capacity, ROBERT KLEIN, in his personal and official capacity, TUCKER CONNINGTON, in his personal and official capacity, and BRIAN LILLO, in his personal and official capacity,

Defendants.

-----x
1133 Westchester Avenue
White Plains, New York

September 25, 2020
10:02 a.m.

CONTINUED EXAMINATION of VICTORIA MALONE, the Plaintiff herein, held at the above time and place, taken before Cheryl Thompson, a Shorthand Reporter and Notary Public within and for the State of New York, pursuant to Order.

Magna Legal Services
866-624-6221
www.MagnaLS.com

1 APPEARANCES : 266
 2
 3
 4

POLLOCK COHEN LLP
 Attorneys for Plaintiff
 5 60 Broad Street, 24th Floor
 New York, New York 10004

6 BY: STEVE COHEN, ESQ.
 7
 8

TOWN OF CLARKSTOWN
 9 10 Maple Avenue
 New City, New York 10956

10 BY: LESLIE KAHN, ESQ.
 11 TOWN ATTORNEY
 (NOT PRESENT)

12 WILSON ELSER MOSKOWITZ EDELMAN &
 13 DICKER LLP

14 Attorneys for Defendants
 15 Town of Clarktown, David Salvo and
 Tucker Connington
 16 1133 Westchester Avenue
 White Plains, New York 10604

17 BY: ELIZA M. SCHEIBEL, ESQ.
 18
 19

LAWRENCE A. GARVEY & ASSOCIATES, P.C.
 20 Attorneys for Defendant

Frank DiZzenzo
 21 Westchester Financial Center
 50 Main Street, Suite 390

22 White Plains, New York 10606

23 BY: LAWRENCE A. GARVEY, ESQ.
 24 BRITTANY C. CORDERO, ESQ.
 (VIA ZOOM)
 25

1 STIPULATIONS 268
 2
 3

4 IT IS HEREBY STIPULATED AND AGREED by and between
 5 the counsel for the respective parties hereto, that
 6 the filing, sealing, and certification of the within
 deposition shall be waived.

7
 8 IT IS FURTHER STIPULATED AND AGREED that all
 9 objections, except as to the form of the question,
 10 shall be reserved to the time of the trial.

11
 12 IT IS FURTHER STIPULATED AND AGREED that the
 13 within deposition may be signed before any Notary
 14 Public with the same force and effect as if signed and
 15 sworn to before the Court.

1 APPEARANCES : 267
 2
 3 (cont.)
 4

5 McDERMOTT & McDERMOTT LAW FIRM
 Attorneys for Defendant

6 Robert Klein
 293 Route 100, Suite 210
 Somers, New York 10589

7 BY: MICHAEL J. McDERMOTT, ESQ.
 8
 9

10 LYONS McGOVERN LLP
 11 Attorneys for Defendant

12 Brian Lillo
 399 Knollwood Road, Suite 216
 White Plains, New York 10603

13 BY: KYLE C. McGOVERN, ESQ.
 14 LISA FANTINO, ESQ. (VIA ZOOM)
 15
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 19
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 21
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 25

1 Victoria Malone 269
 2
 3 VICTORIA MALONE,

4 the Plaintiff herein, having been
 5 previously duly sworn by a Notary
 6 Public of the State of New York,
 7 upon being examined, continued to
 8 testify as follows:

9 EXAMINATION BY

10 MR. McGOVERN:
 11 Q Good morning, Miss Malone. My name is
 12 Kyle McGovern.

13 A Good morning.

14 Q I am with the law firm of Lyons
 15 McGovern. I represent Defendant Brian Lillo in
 16 this case.

17 A Okay.

18 Q We talked about you're still under
 19 oath. You were sworn in yesterday.

20 A Yes.

21 Q And just a couple -- I know Miss
 22 Scheibel gave you some instructions, but just a
 23 couple of reminder instructions.

24 Everything has to be a verbal response
 25 so the reporter can take down everything that's
 said, correct?

1 Victoria Malone 270
 2 A Yes.
 3 Q If you have any questions during, if
 you want to confer with your attorney, you have a
 right to do that. Let me know and I will let you
 step back and confer with your attorney.
 7 If there is a question pending,
 however, and your attorney doesn't direct you not
 to answer, then I'm going to ask you to answer
 the question before you confer. Okay?
 11 A Yes.
 12 Q Do you understand that?
 13 A Yes.
 14 Q In addition, I am going to ask you to
 listen to the questions that I pose. Yesterday
 during your testimony there was a few questions
 that required a yes or no answer and you went
 beyond those responses.
 19 So I will just ask you to listen to
 the question I ask. If it requires a yes or no
 to answer, I ask you to put that verbally on the
 record. And if there is a need to elaborate on
 that, you can let me know and I will see if I can
 ask followup questions.
 25 Do you understand that instruction?

1 Victoria Malone 272
 2 Q You also mentioned you worked the
 chainsaw a little bit?
 4 A Correct.
 5 Q A couple of times I believe you said
 one or two times?
 7 A A couple of times.
 8 Q I believe you also testified you
 worked a claw bucket?
 10 A Correct.
 11 Q Did you receive any training in order
 to operate, for example, the chainsaw?
 13 A I went to a class that was given by
 the highway department on chainsaws, yes.
 15 Q So it was an instruction on how to
 use it, was there safety issues involved, did they
 discuss how to use it safely?
 18 A Yes.
 19 Q Did you also receive training
 regarding using the claw bucket?
 21 A Yes.
 22 Q Now, in terms of doing the ground
 work, the rake work, and picking up the sticks and
 working around the trees, were you given training
 in that as well?

1 Victoria Malone 271
 2 A Yes.
 3 Q All right. So you testified yesterday
 that your position is an MEO II, and in that
 position you're able to operate heavy equipment;
 is that correct?
 7 A Correct.
 8 Q And you testified also yesterday about
 typically when you're working with -- and by the
 way, what I'm addressing is when you're with the
 tree crew, when you're working with Brian Lillo,
 I believe Mr. Salvo was also on the tree crew, and
 my question is, you testified that you typically
 handled work on the ground, meaning you raked, you
 did a lot of raking, you did a lot of stick
 pickup.
 17 Was that the primary role with the
 tree-cutting crew for that, was that your main
 role?
 20 A I also did other things.
 21 Q Okay. But you said, you testified
 yesterday you did a lot of ground work, a lot of
 raking?
 24 A I did a lot of ground work but I also
 did other things.

1 Victoria Malone 273
 2 A I'm sorry. Can you repeat that
 question.
 4 Q Were you given training in terms of
 how to handle raking duties and ground duties? I
 think you described it yesterday --
 7 A I --
 8 Q Our reporter has got to take every-
 thing you say down and everything I say down so
 we can't talk at the same time.
 11 Do you understand that instruction?
 12 A Yes.
 13 Q So again, you testified yesterday you
 did a lot of ground work, and I'm asking you do
 you receive training on how to properly handle the
 rake, how to do ground work when you're cutting a
 tree?
 18 A I don't recall.
 19 MR. COHEN: Compound question.
 20 One or the other. Cutting a tree and
 ground work are two very different
 things.
 23 MR. McGOVERN: Mr. Cohen, you can
 put your objection on the record.
 24 This is a federal deposition. You

1 Victoria Malone 434
 2 He was very aggressive and he was
 3 almost, like it wasn't a joke, it was not a joke.
 4 He used force and it scared me, and it broke my
 5 heart because I didn't think he would have hurt
 6 me.
 7 Q Did you suffer any physical injury as
 8 a result of this exchange?
 9 A No.
 10 Q Did Mr. Klein hurt you in some way in
 11 connection with this incident?
 12 A He scared me.
 13 Q But did you suffer any physical injury
 14 as a result of this exchange.
 15 A No.
 16 Q And did you continue working the rest
 17 of the day?
 18 A I believe so.
 19 Q Okay. Continuing on paragraph 35.
 20 Is there anything else that you want
 21 to add in connection about that sentence that was
 22 addressed?
 23 A Which one?
 24 Q The one we talked about it says on
 25 one occasion -- I will ask the question again.

1 Victoria Malone 436
 2 A He wasn't driving, he was sitting in
 3 the driver seat.
 4 Q He was sitting in the driver seat.
 5 A Yes.
 6 Q The car was not operational.
 7 A No.
 8 Q And you were sitting right in the
 9 passenger seat.
 10 A Yes.
 11 Q Then what happened?
 12 A He took me by the back of my neck and
 13 pushed my head into the middle of the seat, and
 14 then grabbed the back of my shirt and ripped it
 15 over my head, so it was just I had my shirt over
 16 my head, and it felt like he was going to snap my
 17 neck.
 18 Q Okay. You claim that he grabbed the
 19 back of your neck and pressed it forward into the
 20 middle of the seat?
 21 A Yes.
 22 Q Would that be between your legs?
 23 A To the middle of the seat. Like
 24 meaning it's a bench seat.
 25 Q Closer to him.

1 Victoria Malone 435
 2 In connection with that second
 3 sentence of paragraph 35 which ends with into the
 4 ground, is there anything more that you want to
 5 tell me?
 6 A I don't want to add anything.
 7 Q No? Okay.
 8 Continuing, this would be the third
 9 sentence, on at least two occasions, you see that
 10 sentence?
 11 A Yes.
 12 Q It ends with into the seat of a truck,
 13 closed paren.
 14 Do you see that sentence?
 15 A Yes.
 16 Q Can you tell me what would happen?
 17 A Yes. I was sitting in the passenger
 18 seat and he was in the driver seat. And he
 19 took --
 20 Q Of what kind of vehicle?
 21 A The pickup truck.
 22 Q This would be the town truck, right?
 23 A Correct.
 24 Q In the passenger seat, and he was
 25 driving you said?

1 Victoria Malone 437
 2 A Yes.
 3 Q And why do you believe that he was
 4 going to snap your neck?
 5 A Because he was using a lot of force.
 6 Q What precipitated this? Just
 7 spontaneously he did it, or was there an exchange
 8 between you two or --
 9 A Nothing, nothing that could have, that
 10 should have led to that. I don't even remember
 11 what the conversation was.
 12 Q Was there anyone else in proximity to
 13 the vehicle?
 14 A I don't remember. I was so concerned
 15 just about getting my shirt to cover my body
 16 because I was mortified.
 17 Q So you claim that he grabbed your
 18 neck and pushed it into the seat and pulled your
 19 shirt over your head?
 20 A Yeah. He said it was a hockey move.
 21 Q Do you recall what you were wearing?
 22 You were wearing jeans obviously,
 23 correct?
 24 A I was in jeans, yes.
 25 Q What was on your upper torso?

1 Victoria Malone 474
 2 Q Have you read it?
 3 A Yes.
 4 Q Did you read it before it was filed
 5 with the Court?
 6 A Yes.
 7 Q Did you participate in its making?
 8 A Yes.
 9 Q Paragraph 28 of this complaint, which
 10 is Page 7 of 22, can you read that paragraph for
 11 us.
 12 A Out loud?
 13 Q No, to yourself. Just refresh your
 14 recollection.
 15 A (Reviewing)
 16 I read it.
 17 Q Thank you.
 18 That paragraph states in part: When
 19 DiZzenzo saw Malone, he would ask her if she
 20 needed a place to sit, wipe his mouth, tilt his
 21 head back, and stick out his tongue inviting
 22 Malone to sit on his face.
 23 Do you remember that?
 24 A Correct.
 25 Q Can you tell me when that happened?

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1 Victoria Malone 475
 2 A I can't give exactly. It happened so
 3 many times I can't.
 4 Q How many times?
 5 A A lot. Over the course, so many times
 6 I can't even put a number on it.
 7 Q More than ten?
 8 A I can't put a number on it.
 9 Q Less than ten?
 10 A I can't put a number on it. It
 11 happened often.
 12 Q When is the last time it happened?
 13 A Don't know exactly.
 14 Q Did you ever report it to anybody?
 15 A No.
 16 Q Also in that paragraph 28, when
 17 DiZzenzo heard Miss Malone state that she was going
 18 to take a bathroom break, he would cup his hands
 19 and say do you need help, suggesting that Malone
 20 urinate into his hands.
 21 Can you tell me when that happened?
 22 A That happens all the time.
 23 Q Can you give me any specific dates?
 24 A No.
 25 Q Can you give me any specific years?

1 Victoria Malone 476
 2 A Throughout.
 3 Q When is the last time it happened?
 4 A I don't remember the last time it
 5 happened.
 6 Q Is it possible that you can't remember
 7 because it never happened?
 8 A No.
 9 Q Also in paragraph 28 states: When
 10 they were raking leaves, DiZzenzo said he would
 11 love to throw Malone down on top of a pile of
 12 leaves and make love to her.
 13 Do you recall that?
 14 A Yes.
 15 Q When did that happen?
 16 A That happened before he was
 17 superintendent. That happened probably -- let's
 18 see. I was working in TJ Rickli's crew at that
 19 time.
 20 Q Forgive me. That doesn't help me
 21 identify dates.
 22 A Well, that helps me. That gives me a
 23 time frame.
 24 Q So when did you work for --
 25 A I don't recall exactly the date I

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1 Victoria Malone 477
 2 worked in TJ Rickli's crew, but that's the crew I
 3 worked in.
 4 MR. GARVEY: Counsel, can you ask
 5 your client to let me finish my
 6 question.
 7 Q So you don't know when you worked for
 8 him, that crew?
 9 A I don't remember exact dates.
 10 Q How about unexact dates?
 11 A Between 2003 and I don't know.
 12 Q Is there anything that would help
 13 refresh your recollection as to the dates?
 14 A I can ask somebody.
 15 Q Who would you ask?
 16 A Denny Frisco.
 17 Q And why do you think Denny Frisco
 18 would know?
 19 A Because he was there.
 20 Q Also in paragraph 28 of that
 21 complaint, you wrote that Mr. DiZzenzo referenced
 22 shifting gears and grasping the shift.
 23 Can you tell me what that means?
 24 A He had me grab the shift.
 25 Q Okay.

1 Victoria Malone 514
 2 now though.
 3 Q So it's possible that he did make
 4 those complaints?
 5 A It's possible but I don't know.
 6 Q As we sit here today, are you aware
 7 of any complaints that Dominick Santulli has
 8 generally about his position with the highway
 9 department?
 10 A I don't know.
 11 Q Isn't it true that Mr. Santulli --
 12 strike that.
 13 Isn't it true that Mr. Santulli does
 14 not have a good relationship with the highway
 15 department?
 16 MR. COHEN: If you know.
 17 Objection. If you know.
 18 A I don't know.
 19 Q Are you aware -- has there ever been
 20 a time that you're aware that Mr. Santulli did
 21 not have a good relationship with the highway
 22 department?
 23 A I don't know.
 24 Q Can you look at the document the
 25 court reporter just provided to you that's been

1 Victoria Malone 515
 2 marked as Defendant's Exhibit Z, Stipulation of
 3 Settlement and General Release concerning
 4 Grievance of April 29, 2016.
 5 Miss Malone, have you seen that
 6 document before?
 7 A I don't remember it.
 8 Q Can you turn to the last page of this
 9 three-page document labeled Malone 304.
 10 A Yes.
 11 Q Lower left-hand portion of that
 12 document, is that your signature?
 13 A It is.
 14 Q By signing this, would it be safe to
 15 assume that you read it?
 16 A I don't honestly, I don't remember
 17 reading it.
 18 Q Can you tell me what the document is?
 19 A This is a Stipulation of Settlement
 20 and General Release.
 21 Q Is it your testimony that you have no
 22 recollection of this document?
 23 A I don't remember it.
 24 Q Okay. Miss Malone, have you ever
 25 filed a grievance with the Town of Clarkstown or

1 Victoria Malone 516
 2 the highway department?
 3 A Yes.
 4 Q Can you tell me just so we have the
 5 same understanding what your understanding of a
 6 grievance is?
 7 A It's a complaint.
 8 Q Complaint concerning the Collective
 9 Bargaining Agreement; is that correct?
 10 A What does that mean?
 11 Q Your union contract?
 12 A Yeah. I guess so. I don't know
 13 that.
 14 Q When you filed a grievance -- strike
 15 that.
 16 When you filed your grievance, who
 17 helped you file it, if anyone?
 18 A The union.
 19 Q The grievance that you filed, can you
 20 tell us in sum and substance why you filed it?
 21 A Because I was being held back from
 22 promotion.
 23 Q And did there come a time when there
 24 was a resolution to that grievance?
 25 A Yes.

1 Victoria Malone 517
 2 Q And were you subsequently promoted?
 3 A Yes.
 4 Q You testified yesterday that when
 5 that grievance was resolved, you had attorney
 6 representation.
 7 Is that true?
 8 A Yes. Given to me by the town.
 9 Q The town or the union?
 10 A The union. My apologies.
 11 Q The union attorney, you testified,
 12 again I'm paraphrasing this, but you testified
 13 yesterday you were not happy with the results of
 14 the union attorney; is that correct?
 15 A Yes.
 16 Q Can you be more specific about what
 17 you were unhappy with?
 18 A He wasn't good.
 19 Q Can you be more specific about not
 20 being good.
 21 A He didn't properly explain to me that
 22 what I was signing when I was going to get my
 23 promotion.
 24 Q And when did you discover that he did
 25 not properly explain to you what you were signing

1 Victoria Malone 526
 2 Q You knew where the Town Attorney's
 3 office was; is that correct?
 4 A I don't know if I knew where that
 5 was.
 6 Q You knew where town hall was, correct?
 7 A Correct.
 8 Q Your father had worked for the
 9 highway department for a number of years; is that
 10 correct?
 11 A No.
 12 Q For the town -- strike that.
 13 Your father worked for the town for a
 14 number of years; is that correct?
 15 A Yes.
 16 Q And you spoke to your father on a
 17 regular basis; is that correct?
 18 A Yes.
 19 Q And despite knowing all of that,
 20 knowing how to complain, knowing where to complain
 21 to, knowing who to complain to, you never once
 22 complained about any of the allegations in this
 23 lawsuit to anyone at the town or the highway
 24 department, with the exception of the chainsaw
 25 incident; is that correct?

1 Victoria Malone 527
 2 A Yes.
 3 No, I'm sorry, it's not.
 4 Q Please.
 5 A I complained about Rory.
 6 Q What -- to whom and what did you
 7 complain about Rory?
 8 A I complained verbally.
 9 Q To who?
 10 A To Andy Lawrence, and to -- I think
 11 Andy Lawrence was just it. And I also --
 12 Q Let's start with Rory.
 13 A Okay.
 14 Q You complained to Andy Lawrence about
 15 Rory specifically doing what?
 16 A Trying to run me over in the parking
 17 lot, trying to close my fingers in the door,
 18 pushing me, calling me, he cursed at me. I
 19 have -- they are all documented.
 20 Q In addition to Andy Lawrence,
 21 complaining to Andy Lawrence about Rory, who else
 22 did you report to about whom?
 23 A I think Rory was it.
 24 Q So what was the outcome of your
 25 report to Andy Lawrence concerning Rory, what is

1 Victoria Malone 528
 2 Rory's last name?
 3 A O'Connell.
 4 Q I'm sorry.
 5 What was the outcome of your complaint
 6 to Rory O'Connell?
 7 A There was no outcome.
 8 Q Was there an official report?
 9 A I wrote something up.
 10 Q And you gave it to Andy Lawrence?
 11 A Yes.
 12 Q What, if anything, if you know, did
 13 Andy Lawrence do with that?
 14 A I don't know what he did with it.
 15 Q Did anyone ever question you about
 16 it?
 17 A The notice?
 18 Q About your writing.
 19 A They brought me and Rory into Andy's
 20 office with Steve Peters and I had a talk.
 21 Q What was the outcome of that talk, if
 22 you know?
 23 A They didn't want me to write him up
 24 or to put any paperwork in his file.
 25 And I said no, absolutely not, this

1 Victoria Malone 529
 2 needs to be documented just in case something
 3 happens again.
 4 Q Was it in fact documented?
 5 A I believe so, yes. I think. I don't
 6 know if they actually went through with it, but
 7 as far as my knowledge, they did.
 8 Q And you were satisfied with that
 9 outcome?
 10 A I was.
 11 Q So is it safe to say that you knew
 12 how to complain, you did complain, and the
 13 outcomes were favorable to you?
 14 A No, because he kept on bothering me.
 15 He didn't stop.
 16 Q I just asked you if you were happy
 17 with that outcome and you said yes.
 18 A I'm sorry. Let me rephrase.
 19 I was happy with the fact that they
 20 agreed to put a paper in his file to at least show
 21 that it was documented.
 22 Q And were you satisfied with the type
 23 of the resolution of the grievance, with that
 24 outcome?
 25 MR. COHEN: Objection. If you

1 Victoria Malone 542
 2 tell me the last date?
 3 A 3/8/18.
 4 Q Would there be additional text
 5 messages before 10/2 of 2016?
 6 A Excuse me?
 7 Q Would there be additional text
 8 messages between you and Frank DiZzenzo before
 9 October 2nd of 2016?
 10 A I don't know. I don't think so.
 11 Q Did you have a phone, did you have an
 12 iPhone before October 2nd of 2016?
 13 A I did.
 14 Q Did you text at that time?
 15 A I texted at that time.
 16 Q Do you think that you also texted
 17 Frank DiZzenzo at that time?
 18 A I don't know.
 19 Q But it's possible.
 20 A I don't know.
 21 Q It's possible, correct?
 22 A I don't know.
 23 Q Miss Malone, you made some very, very
 24 serious allegations against Mr. DiZzenzo in this
 25 lawsuit.

1 Victoria Malone 543
 2 Do you realize that?
 3 A Yes.
 4 Q And you made allegations that on a
 5 regular and repeated basis, Mr. DiZzenzo sexually
 6 harassed you, right?
 7 A Yes.
 8 Q And he made comments to you that were
 9 wholly inappropriate when he was working during
 10 the highway department; is that correct?
 11 A Yes.
 12 Q And that behavior only increased as
 13 he was elected as highway superintendent; is that
 14 correct?
 15 A Yes.
 16 Q Can you look through these text
 17 messages and tell us if there is anything in here
 18 that references the egregious conduct that you
 19 accuse Mr. DiZzenzo of.
 20 A (Reviewing)
 21 Q Miss Malone, do you see anything here
 22 that --
 23 A I'm still reading.
 24 MR. COHEN: She's still reading.
 25 Q You're not familiar with these,

1 Victoria Malone 544
 2 Miss Malone?
 3 A I'm reading through them.
 4 Q Okay.
 5 A (Reviewing)
 6 Okay.
 7 Q Is there anything in here that
 8 supports any of the allegations contained in your
 9 complaints?
 10 A No.
 11 Q In fact, it's quite the opposite,
 12 isn't it?
 13 A It's friendly talk.
 14 Q So for instance, on Page 1 of 10,
 15 Bates stamp 1907, you tell Mr. DiZzenzo in the
 16 first text that you're sick; is that correct?
 17 A Yes.
 18 Q Then he said feel better; is that
 19 correct?
 20 A Yes.
 21 Q Then he says to you you have to
 22 change your profile. You're an MEO II now. LOL.
 23 Is that a congratulatory text?
 24 A I don't know. That just seems like
 25 he's telling me I'm an MEO II now.

1 Victoria Malone 545
 2 Q Was that an exciting time for you?
 3 A When I was an MEO II?
 4 Q Well, apparently you had gotten
 5 promoted, correct?
 6 A Yes. I got my MEO II.
 7 Q Then the next one he says just seen
 8 you. Welcome back.
 9 Do you see that?
 10 A Just seen you. Welcome back. Yes.
 11 Q Then he says later can you stop in.
 12 You say am I in trouble?
 13 He said never. Had a question about
 14 plexus.
 15 Do you see that?
 16 A Yes.
 17 Q Turning to Page 3.
 18 A Three.
 19 Q Page 3, he texted you keep me posted
 20 please.
 21 I'm sorry. You texted him keep me
 22 posted please.
 23 He says we are home. All went good.
 24 Do you know what you were referring
 25 to or he was referring to?

1 Victoria Malone 546
 2 A I just read the next one and I said
 3 oh, thank God, Lisa. Give Lisa hugs and kiss.
 4 Lisa is his wife. I don't remember
 5 what happened but there must have been something
 6 with Lisa.
 7 Q Was there a medical emergency do you
 8 recall?
 9 A I want to say she had a biopsy.
 10 Q Thank you. Moving on.
 11 Turning to Page 5 of 10.
 12 A Five?
 13 Q Yes.
 14 A Okay.
 15 Q Halfway down the page you ask, hold
 16 on. Oh.
 17 Frank said to you, you get the day
 18 just for that. Do me a favor. Just call in sick
 19 and I will change it.
 20 And you reply, LMAO. You got it. And
 21 I put in for Friday. Please approve my ass.
 22 Is that what you wrote?
 23 A Yes.
 24 Q Can you tell us what you're referring
 25 to?

1 Victoria Malone 547
 2 A I think I put a day in.
 3 Q And he approved it?
 4 A I don't know. It doesn't say that he
 5 did.
 6 Q Is that the way you talk to your boss,
 7 please approve my ass?
 8 A Apparently I texted it.
 9 Q Further down the page he says, Frank
 10 says, don't forget to call in sick.
 11 You say just did. Thanks, Frank.
 12 Thank God you're my boss.
 13 Do you see that?
 14 A Yes.
 15 Q What does that mean?
 16 A That I was happy he was my boss.
 17 Q Okay. Despite all the years of sexual
 18 harassment and abuse --
 19 A I --
 20 Q -- despite all the years of sexual
 21 harassment and abuse and horrible behavior and
 22 disgusting things, you still say to him all right,
 23 just did. Thanks, Frank. Thank God you're my
 24 boss?
 25 A I would have supported Satan to get

1 Victoria Malone 548
 2 Wayne out of office.
 3 Q Well, apparently that's what you're
 4 saying.
 5 A Excuse me?
 6 Q Never mind.
 7 MR. COHEN: Objection.
 8 Q Then on 12/25 he texted you Merry
 9 Christmas.
 10 You say Merry Christmas to you and
 11 your family, correct?
 12 A Yes.
 13 Q Did you volunteer on Frank DiZzenzo's
 14 campaign for highway superintendent?
 15 A Doing what?
 16 Q In any capacity at all.
 17 A I gave him signs. My dad actually
 18 gave him signs.
 19 Q Did you make phone calls for him?
 20 A I believe I did. I don't know. Did
 21 I do that for my dad or did I do that for Frank?
 22 I might have done that for Frank. I'm not
 23 positive.
 24 Q So is it -- strike that.
 25 You also allege in your complaint

1 Victoria Malone 549
 2 that Frank DiZzenzo gave you a Go Pro; is that
 3 correct?
 4 A Go Girl.
 5 Q I'm sorry. Go Girl.
 6 Can you tell us what a Go Girl is?
 7 A It's a device used to pee standing
 8 up.
 9 Q That a woman uses to pee standing up,
 10 correct?
 11 A Yes.
 12 Q And you felt the receipt of that gift
 13 was another example of his sexual harassment; is
 14 that correct?
 15 A Yes. That was ridiculous.
 16 Q Who was there when he gave you that
 17 device?
 18 A I was in the deputies' office. I
 19 don't remember exactly which deputies were there.
 20 Q Anybody else besides the deputies?
 21 A Could have been.
 22 Q Anyone that worked for the highway
 23 department?
 24 A I don't know.
 25 Q Are you sure Frank gave it to you?